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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/449,134	11/24/1999	JANNE LINKOLA	2132-20PCON	5909

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EXAMINER

HA, LEYNNA A

ART UNIT	PAPER NUMBER
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2135

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DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/449,134

Applicant(s)

LINKOLA ET AL.

Examiner

LEYNNA T. HA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-10 have been re-examined and maintains the rejection under 35 U.S.C. 102(e).
2. This is a Final Rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. ***Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kallioniemi, et al. (US 6,064,887).***

As per claim 1:

Kallioniemi, et al. disclose a telecommunications network wherein includes mobile telecommunications domains and plurality of HLRs (see FIG.2a). Kallioniemi includes a base station controller which is connected to the transceiver stations for transmitting and receiving messages to and from the plurality of mobile subscribers (MS) (col.5, lines 10-67). Kallioniemi discusses CCITT Signalling System in the form of a SMSC, which includes a

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Message Transfer Part (MTP) for reliable transfer of signaling messages (col.7, line 49-63).

Each HLR1 and HLR2 as disclosed by Kallioniemi contains each subscriber's data wherein includes the authentication parameters or identity code (col.6, lines 8-15), IMSI (col.12, line 5-22), ciphering keys (col.8, line 33-40), and the MSISDN (col.8, line 50-64). It is inherent to include some sort of module (SIM), which is just a location where the subscriber's data corresponding to the subscriber's subscription is stored that will be for verification and comparison purposes.

Kallioniemi discusses portability, the ability to update and change any data when changing to another service provider (col.6, lines 52-56), which involves the relocation of the data storage place for the mobile subscriber and Mobile Application Part (MAP) for updating and deleting data (col.8, line 41-67). Hence, when the subscriber changes from one service provider to another, it involves moving the data from HLR1 to the HLR2 (col.6, lines 21-67). In doing so, it would be necessary to change the data of HLR1 to the data of HLR2 because it is ineffective to have the old subscriber identity code and the MSISDN that routes to the domain or provider that is no longer available. Kallioniemi discloses data from the HLR1 is now HLR2, so the data of HLR2 includes the second MSISDN and a second subscriber identity code (col.11, lines 7-55). In essence, it will no longer direct to the HLR1 domain or provider

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because the MSISDN and data of HLR1 has updated and changed to the data of HLR2. Also, see col.7, line 49 thru col.10, line 67.

As per claim 2:

Kallioniemi responds with a "location update accepted" message where further communications can occur (col.13, lines 15-37). Kallioniemi discloses the changing process involves moving the data to another (or second) HLR (col.6, lines 53-56). Thus, by moving data to another HLR is the data corresponding to the first subscription is removed from the first HLR.

As per claim 3: See col.16, lines 5-60 discussing transmitting a second message. See col.17, line 20-54 discussing receipt of the second message and see col.18, line 10-50 for removal of first subscription.

As per claim 4: See col.17, line 20-54 discussing receipt of the second message wherein it is inherent that there is a certain amount of time before sending out a follow-up (second) message. Also, see col.13. lines 25-65.

As per claim 5: See col.11, lines 7-34 for removing the HLR once the data has moved to the other HLR(2).

As per claim 6: See col.18, lines 9-26 for a discussion of the VLR, which generates a temporary VLR number.

As per claim 7: See col.5-6 discussing the system is in the form of a GSM communication system.

As per claim 8: As rejected on the same rationale of claim 1.

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As per claim 9: Kallioniemi discusses the example of financial billing as a local exchange and customer control system (col.9, line 37 thru col.10, line 37).

As per claim 10: Kallioniemi teaches the message transmission system comprises a short message system (col.7, lines 49-col.8, line 15 and 13, lines 15-30).

See col.4 et seq. and FIG.1, FIG.5, and FIG.8.

Response to Arguments

The Examiner maintains the rejection based on the claimed language and not on similar acronyms and terminologies. The Examiner provides the proper prior art for this rejection.

A review of the specification (pg.2-6) reveals that Applicant's invention is to maintain updated data within the HLR. Thus, controls having multiple HLRs (of different locations) with different data and with multiple functions. In addition, the claim language states creating a second HLR and changing the data from the first to the second subscription merely means 2 different databases or storage area, which the second HLR overrides the first HLR. Whereby, canceling (deleting) out the first HLR because it is no longer needed.

Kallioniemi teaches an invention containing a first and second HLR wherein the HLRs contain for each subscriber's data authentication parameters or identity code (col.6, lines 8-15), ciphering keys (col.8, line 33-40), and the MSISDN (col.8, line 50-64). Kallioniemi discusses the ability to update and change any data when changing to another service provider (col.6, lines 52-56). In doing so, it would be necessary to change the data of HLR1 to the data of HLR2 because it is ineffective to have the old subscriber identity code and the MSISDN that routes to the domain or provider that is no longer available. Thus, Kallioniemi discloses data from the HLR1 is now HLR2, so the data of HLR2 includes the second MSISDN and a second subscriber identity code (col.11, lines 7-55). the MSISDN of the HLR1 looks and have the appearances of the MSISDN of HLR2, but it is apparent the values of the MSISDN of HLR2 is different in order to direct to the updated domain (col.13, lines 15-65). As for the subscriber identity code, it is evident that it should change to the domain that contains HLR2 because it differs from provider to provider (col.12, lines 20-58). Else, the communication will be directed to the previous provider that is no longer in use. In essence, it will no longer direct to the HLR1 domain or provider because the MSISDN and data of HLR1 has updated and changed to the data of HLR2.

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (703) 305-3853. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LHa


CUSTOMARY PATENT EXAMINER
TECHNOLOGY CENTER 2100